

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,
and THE STATE OF MICHIGAN, *et al.*, Civil Case No. 19-12165

Plaintiffs,

Honorable Denise Page Hood

ex rel. MICHAEL ANGELO, *et al.*,

Plaintiff/Relator,

vs.

STATE FARM MUTUAL
AUTOMOBILE INSURANCE
COMPANY, *et al.*,

Defendant.

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**UNITED STATES' STATEMENT OF INTEREST IN RESPONSE TO
MOTION FOR ENTRY OF ORDER DISMISSING FEDERAL FCA QUI
TAM CLAIMS PURSUANT TO UNITED STATES' NOTICE OF
CONSENT TO PARTIAL DISMISSAL (ECF NO. 473)**

This action was brought under the *qui tam* provisions of the False Claims Act, 31 U.S.C. §§ 3729-3733, and on March 9, 2021, the United States declined to intervene in this action. ECF 17. On April 22, 2023, Relator Michael Angelo (“Relator Angelo”) filed a motion that appears to seek the voluntary dismissal of the claims he has asserted in this case against defendants State Farm Mutual Automobile Insurance Company, Dover Bay Specialty Insurance Company,

HiRoad Assurance Company, State Farm County Mutual Insurance Company of Texas, State Farm Fire and Casualty Company, State Farm Florida Insurance Company, State Farm General Insurance Company, State Farm Guaranty Insurance Company, State Farm Indemnity Company, and State Farm Lloyds (hereinafter “State Farm Defendants”). ECF No. 455.

Thereafter, the United States filed a notice “consent[ing] to the dismissal of Relator Angelo’s claims asserted against the State Farm Defendants in this case, without prejudice as to the United States.” ECF No. 468, PageID. 8141 (“Notice of Consent to Partial Dismissal” or the “United States’ Notice”). On May 26, 2023, the State Farm Defendants filed a motion for partial dismissal based on the United States’ Notice. ECF No. 473. In the motion, the State Farm Defendants appear to have interpreted the United States’ Notice of Consent to Partial Dismissal as its consent to the dismissal of all claims alleged against the State Farm Defendants in this case. *Id.* at PageID. 8185-86. As referenced in the United States’ Notice, the United States consents only to the dismissal of Relator Angelo insofar as he asserts claims against the State Farm Defendants in this case. The United States previously has not taken and currently takes no position on the merits of any arguments regarding the other relator in this case, MSP WB, LLC.

Respectfully submitted,

DAWN N. ISON
United States Attorney

Date: 6/23/2023

/s/John Postulka
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PROOF OF SERVICE

I hereby certify that on June 23, 2023, I electronically filed the above document(s) with the Clerk of the Court using the ECF System, which will provide electronic copies to counsel of record.

/s/ John Postulka
John Postulka, AUSA